IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 24960 of 2007(U)

PETITIONER:

P.T. IGNATIUS,
DEPUTY DIRECTOR OF AGRICULTURE (RTD.),
PARAPPILLY HOUSE, VYLOPPILLY NAGAR,
NETTASSERI POST, THRISSUR-680 675.

BY ADV. SRI.K.I.SAGEER

RESPONDENTS:

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1. DIRECTOR OF AGRICULTURE,
VIKAS BHAVAN, THIRUVANANTHAPURAM.

2. ACCOUNTANT GENERAL (A & E),
THIRUVANANTHAPURAM.

3. STATE OF KERALA,
REP. BY SECRETARY TO THE GOVERNMENT AGRICULTURE
(E.A) DEPARTMENT, SECRETARIAT,THIRUVANANTHAPURAM.

4. T.K. SREENIVASAN,
CONVENOR, KAITHINGALCHIRA CHECK DAM CONSTRUCTION
COMMITTEE, MAROOTTICHAL PADDY FIELD, PUTHUR P.O.,
THRISSUR.

5. K.V. SIVANANDAN,
CONVENOR, CANAL CONSTRUCTION COMMITTEE,
KAINOOR WEST, PADDI FIELD SAMITHI,
KAINOOR WEST, THRISSUR.

6. K.K. VELAYUDHANKUTTY,
CONVENOR, VETTUKKAD KALLINGAL CHECKDAM,
VETTUKAD, THRISSUR.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

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W.P.(C)NO. 24960 OF 2007

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Dated this the 12th day of December 2007

JUDGMENT

The petitioner retired from service as a Deputy Director of Agriculture on 31.7.2001. By Ext.P1, liability certificate was issued to him showing that he is liable for an amount of Rs.11,19,555/-. According to the petitioner, he is not liable for the said amount. He refers to Ext.P1 and contends that the amount shown as liability are the amountS which are to be recovered from contractors including respondents 3 to 5, who were conveners of beneficiary committees entrusted with the task of different works during the tenure of the petitioner. Though the petitioner sought for revocation of the fixation of liability, that was declined under Ext.P5 dated 30.12.2003. But in Ext.P5, government had requested the Director of Agriculture to proceed to recover the loss which the government has sustained with interest from the contractors as per the Revenue Recovery Act. It is further mentioned that till such recovery, the amount fixed upon the petitioner will continue to be his liability. It is mentioned in Ext.P5 that the final liability of the petitioner is Rs.4,89,609/= which is obviously higher than the amount which the petitioner is entitled to as DCRG.

2. According to the petitioner, notwithstanding Ext.P5, no steps have been taken to recover the loss which has been caused to the government from the contractors as directed in Ext.P4. He has filed Ext.P6 in this regard before the government.

3. Having heard the learned government pleader also, the writ petition is disposed of directing the third respondent to look into Ext.P6 and take appropriate action thereon, in accordance with law, within a period of three months from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

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